

AMENDED

Serial No. 60823

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 20 1995

Returned to applicant for correction FEB 08 1995

Corrected application filed Map filed MAR 02 1995

The applicant Robert E. & Molly F. Smith & Robert E. Jr. & Deborah G. Smith

2750 Curry Rd

Street and No. or P.O. Box No.

of Fallon

City or Town

Nevada 89406

State and Zip Code No.

hereby make application for permission to change the

place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under

Truckee-Carson Irrigation District No. 174

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

United States of America v. Orr Water Ditch Co. in Equity No. A. 3 Claim

identify right in Decree.

No. 3: United States of America v. Alpine Land & Reservoir Co. D.C. No D-183 BRT

1. The source of water is Truckee River & Carson River

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 20.30 Ac. ft

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Lahontan Dam being within the SW1-SE1

Describe as being within a 40-acre subdivision of public survey and by course and

Section 33, Township 19 North, Range 26 East, M.D.B. & M.

distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within no change

If point of diversion is not changed, do not answer.

7. Proposed place of use NW1SE1 (5.8 Ac.) Sec 34, T. 18N, R. 28E, M.D.B. & M.

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use NW1SE1 (2.60 Ac.) SW1NE1 (1.45 Ac.) NW1SE1 (1.75 Ac.)

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

Sec. 34, T. 18N, R. 28E, M.D.B. & M. a total of 5.8 Acres.

manner of use or irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from as decreed to of each year.

Month and Day

Month and Day

10. Use was permitted from as decreed to of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) dam, canal & ditches

State manner in which water is to be diverted, i.e. diversion structure.

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works complete

complete

13. Estimated time required to construct works

3 years

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be delivered to the proposed place of use via the "E" Line Canal.

This application places additional water rights on application 58582.

Compared jr/bk jr/bk

Protested.....

By s/Barry A. Fitzpatrick S.W.R.S. #817
s/Barry A. Fitzpatrick
Barry A. Fitzpatrick
137 Keddle Street
Fallon, Nevada 89406

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second but not to exceed 20.30 acre-
 feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before..... August 10, 1996

Proof of completion of work shall be filed before..... September 10, 1996

Application of water to beneficial use shall be made on or before..... August 10, 1999

Proof of the application of water to beneficial use shall be filed on or before..... September 10, 1999

Map in support of proof of beneficial use shall be filed on or before..... September 10, 1999

FEB 21 1996

Completion of work filed.....

Proof of beneficial use filed..... APR 24 2000

Cultural map filed.....

Certificate No. 16250 Issued NOV 17 2003

CANCELLED JAN 28 2000 BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

IN TESTIMONY WHEREOF, I, MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 11th day of August,

A.D. 1995

Michael Turnipseed, P.E.
 State Engineer

STATE ENGINEER